

IN THE CLAIMS

- a1
1. (Original) In a computer, a method for obtaining resource usage information from a node of a network, the method comprising the steps of:

generating, for a data element, a value for a parameter within the data element that will cause the node of the network to determine that the data element is stale when the node of the network receives the data element;

sending the data element to the node of the network; and

receiving a signal from the node of the network, the signal including (i) an indication that the node of the network has removed the data element from the network, and (ii) resource usage information describing usage of resources within the node of the network.

2. (Original) The method of claim 1 wherein the node of the network (i) includes multiple resources and (ii) is capable of processing non-stale data elements using different combinations of the multiple resources, and wherein the step of receiving includes the step of:

acquiring, as the resource usage information, a history which identifies a combination of the multiple resources that processed the data element as a non-stale data element.

3. (Original) The method of claim 1 wherein the parameter within the data element is a Time-To-Live field, the contents of which identify a limit to the number of remaining nodes which can process the data element within the network, wherein the signal is an Internet Control Message Protocol error message, and wherein the step of receiving includes the step of:

acquiring, as the indication that the node of the network has removed the data element from the network, a notification that the limit to the number of remaining nodes which can process the data element within the network has been reached.

4. (Original) The method of claim 1 wherein the computer includes a database, and wherein the method further comprises the step of:

extracting the resource usage information from the signal;
updating contents of the database with the extracted resource usage information; and
tuning the node of the network based on the updated contents of the database.

5. (Original) An apparatus for obtaining resource usage information from a node of a network, comprising:

a network interface for connecting to the network; and
a controller coupled to the network interface, the controller being configured to:

generate, for a data element, a value for a parameter within the data element that will cause the node of the network to determine that the data element is stale when the node of the network receives the data element,

send the data element to the node of the network through the network interface, and

receive a signal from the node of the network, the signal including (i) an indication that the node of the network has removed the data element from the network, and (ii) resource usage information describing usage of resources within the node of the network.

al

6. (Original) The apparatus of claim 5 wherein the node of the network (i) includes multiple resources and (ii) is capable of processing non-stale data elements using different combinations of the multiple resources, and wherein the controller includes:

circuitry that acquires, as the resource usage information, a history which identifies a combination of the multiple resources that processed the data element as a non-stale data element.

7. (Original) The apparatus of claim 5 wherein the parameter within the data element is a Time-To-Live field, the contents of which identify a limit to the number of remaining nodes which can process the data element within the network, wherein the signal is an Internet Control Message Protocol error message, and wherein the controller includes:

circuitry that acquires, as the indication that the node of the network has removed the data element from the network, a notification that the limit to the number of remaining nodes which can process the data element within the network has been reached.

8. (Original) The apparatus of claim 5 further comprising:

a memory, coupled to the controller, which stores a database, wherein the controller is configured to:

extract the resource usage information from the signal;
update contents of the database with the extracted resource
usage information; and

tune the node of the network through the network interface
based on the updated contents of the database.

9. (Original) A computer program product that includes a computer readable medium having instructions stored thereon for obtaining resource usage information from a node of a network, such that the instructions, when carried out by the computer, cause the computer to perform the steps of:

generating, for a data element, a value for a parameter within the data element that will cause the node of the network to determine that the data element is stale when the node of the network receives the data element;

sending the data element to the node of the network; and

receiving a signal from the node of the network, the signal including (i) an indication that the node of the network has removed the data element from the network, and (ii) resource usage information describing usage of resources within the node of the network.

10. (Original) The computer program product of claim 9 wherein the node of the network (i) includes multiple resources and (ii) is capable of processing non-stale data elements using different combinations of the multiple resources, and wherein the step of receiving includes the step of:

acquiring, as the resource usage information, a history which identifies a combination of the multiple resources that processed the data element as a non-stale data element.

11. (Original) In a node of a network, a method for providing resource usage information, the method comprising the steps of:
- receiving a data element from a source computer of the network;
 - determining that the data element is stale based on a parameter within the data element; and
 - removing the data element from the network and sending a signal to the source computer of the network, the signal including (i) an indication that the node of the network has removed the data element from the network, and (ii) resource usage information describing usage of resources within the node of the network.
12. (Original) The method of claim 11 wherein the node of the network (i) includes multiple resources and (ii) is capable of processing non-stale data elements using different combinations of the multiple resources, and further comprising the steps of:
- after the step of determining, processing the data element as a non-stale data element using a combination of the multiple resources; and
 - generating, as the resource usage information, a history which identifies the combination of the multiple resources that processed the data element as a non-stale data element.

13. (Original) The method of claim 11 wherein the parameter within the data element is a Time-To-Live field, the contents of which identify a limit to the number of remaining nodes which can process the data element within the network, wherein the step of determining includes the step of:

updating a value defined by the contents of the Time-To-Live field of the data element to determine that the limit to the number of remaining nodes which can process the data element within the network has been reached, and

wherein the step of removing and sending includes the step of:

providing, as the signal to the source computer of the network, an Internet Control Message Protocol error message.

14. (Original) The method of claim 11 wherein the node of the network is capable of processing data elements based on a tuning attribute, and wherein the method further comprises the steps of:

receiving, from the source computer, a tuning command based on the resource usage information; and

adjusting the tuning attribute based on the tuning command in order to change a manner in which the node processes data elements.

15. (Currently Amended) A network node for providing resource usage information, comprising:

a network interface for connecting to ~~the~~ a network;

a controller coupled to the network interface, the controller being configured to:

receive a data element from a source computer of the network through the network interface;

determine that the data element is stale based on a parameter within the data element; and

remove the data element from the network and send a signal to the source computer of the network through the network interface, the signal including (i) an indication that the node of the network has removed the data element from the network, and (ii) resource usage information describing usage of resources within the node of the network.

16. (Original) The network node of claim 15 wherein the controller includes:

multiple resources; and

a control module, coupled to the multiple resources, which is capable of processing non-stale data elements using different combinations of the multiple resources, the control module being configured to:

process the data element as a non-stale data element using a combination of the multiple resources, and

generate, as the resource usage information, a history which identifies the combination of the multiple resources that processed the data element as a non-stale data element.

17. (Original) The network node of claim 15 wherein the parameter within the data element is a Time-To-Live field, the contents of which identify a limit to the number of remaining nodes which can process the data element within the network, and wherein the controller includes:

a
circuitry that (i) updates a value defined by the contents of the Time-To-Live field of the data element to determine that the limit to the number of remaining nodes which can process the data element within the network has been reached, and (ii) provides, as the signal to the source computer of the network, an Internet Control Message Protocol error message.

18. (Original) The network node of claim 15 wherein the controller is capable of processing data elements based on a tuning attribute, and wherein the controller includes:

circuitry that (i) receives, from the source computer through the network interface, a tuning command based on the resource usage information, and (ii) adjusts the tuning attribute based on the tuning command in order to change a manner in which the controller processes data elements.

19. (Currently Amended) A computer program product that includes a computer readable medium having instructions stored thereon for providing resource usage information, such that the instructions, when carried out by ~~the~~ a computerized device, cause the computerized device to perform the steps of:

receiving a data element from a source computer of the network;

determining that the data element is stale based on a parameter within the data element; and

removing the data element from the network and sending a signal to the source computer of the network, the signal including (i) an indication that the ~~node of the network~~ computerized device has removed the data element from the network, and (ii) resource usage information describing usage of resources within the ~~node of the network~~ computerized device.

20. (Currently Amended) The computer program product of claim 19 wherein the ~~node of the network~~ computerized device (i) includes multiple resources and (ii) is capable of processing non-stale data elements using different combinations of the multiple resources, and wherein the instruction further cause the computerized device to perform the steps of:

after the step of determining, processing the data element as a non-stale data element using a combination of the multiple resources; and

generating, as the resource usage information, a history which identifies the combination of the multiple resources that processed the data element as a non-stale data element.

21. (Original) A system for obtaining resource usage information, comprising:

a source computer which provides a data element; and

a network node, coupled to the source computer, which forms at least a portion of a network with the source computer, the network node being configured to:

receive the data element from the source computer;

determine that the data element is stale based on a parameter within the data element; and

remove the data element from the network and send a signal to the source computer, the signal including (i) an indication that the network node has removed the data element from the network, and (ii) resource usage information describing usage of resources within the network node.

22. (Original) The system of claim 21 wherein the network node includes:
multiple resources; and

a control module, coupled to the multiple resources, which is capable of processing non-stale data elements using different combinations of the multiple resources, the control module being configured to:

process the data element provided by the source computer as a non-stale data element using a combination of the multiple resources, and

generate, as the resource usage information, a history which identifies the combination of the multiple resources that processed the data element as a non-stale data element.

23. (Original) The system of claim 21 wherein the parameter within the data element is a Time-To-Live field, the contents of which identify a limit to the number of remaining nodes which can process the data element within the network, and wherein the network node includes:

circuitry that (i) updates a value defined by the contents of the Time-To-Live field of the data element to determine that the limit to the number of remaining nodes which can process the data element within the network has been reached, and (ii) provides, as the signal to the source computer of the network, an Internet Control Message Protocol error message.

- a 24. (Original) The system of claim 21 wherein the source computer includes:

a memory which stores a database; and

a controller, coupled to the memory, which is configured to:

extract the resource usage information from the signal,

update contents of the database with the extracted resource usage information, and

generate a tuning command based on the updated contents of the database, and send the tuning command to the network node; and

wherein the network node is capable of processing data elements based on a tuning attribute, and wherein the network node includes:

circuitry that (i) receives, from the source computer, the tuning command, and (ii) adjusts the tuning attribute based on the tuning command in order to change a manner in which the network node processes data elements.

- a 3 25. (New) The method of claim 1 wherein the node is an intermediate device disposed between the computer and a target device, and wherein the step of sending the data element to the node includes the step of:

formatting the data element as a packet having (i) a destination address that identifies the target device and (ii) a Time-To-Live value which causes the node to consider the data element to be a stale packet upon receipt of the data element by the node.

- a 26. (New) The apparatus of claim 5 wherein the node is an intermediate device disposed between the apparatus and a target device; and wherein the controller, when sending the data element to the node, is configured to:

format the data element as a packet having (i) a destination address that identifies the target device and (ii) a Time-To-Live value which causes the node to consider the data element to be a stale packet upon receipt of the data element by the node.

27. (New) The computer program product of claim 9 wherein the node is an intermediate device disposed between the apparatus and a target device; and wherein the instructions, when causing the computer to send the data element to the node, cause the computer to:

format the data element as a packet having (i) a destination address that identifies the target device and (ii) a Time-To-Live value which causes the node to consider the data element to be a stale packet upon receipt of the data element by the node.

28. (New) The method of claim 11 wherein the node is an intermediate device disposed between the source computer and a target device; and wherein the step of receiving includes the step of:

obtaining, as the data element, a packet having (i) a destination address that identifies the target device and (ii) a Time-To-Live value which causes the node to consider the data element to be a stale packet.

29. (New) The network node of claim 15 wherein the node is an intermediate device disposed between the source computer and a target device; and wherein controller, when receiving the data element, is configured to:

obtaining, as the data element, a packet having (i) a destination address that identifies the target device and (ii) a Time-To-Live value which causes the network node to consider the data element to be a stale packet.

30. (New) The computer program product of claim 19 wherein the computerized device is an intermediate device disposed between the source computer and a target device; and wherein the instructions, when causing the computerized device to receive the data element, cause the computerized device to:

obtain, as the data element, a packet having (i) a destination address that identifies the target device and (ii) a Time-To-Live value which causes the computerized device to consider the data element to be a stale packet.

31. (New) The system of claim 21 wherein the network node is an intermediate device disposed between the source computer and a target device; and wherein network node, when receiving the data element, is configured to:

obtain, as the data element, a packet having (i) a destination address that identifies the target device and (ii) a Time-To-Live value which causes the network node to consider the data element to be a stale packet.
